

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
NO. 4:10-CR-33-1H

UNITED STATES OF AMERICA :
:
v. :
:
DERRICK KEITH USSERY, JR. :
:

FINAL ORDER OF FORFEITURE

WHEREAS, on June 30, 2010, this Court entered a Preliminary Order of Forfeiture pursuant to the provision of 21 U.S.C. § 853, based upon the defendant pleading guilty to 21 U.S.C. § 846, and the entry of a Consent to Forfeiture on June 8, 2010, agreeing to the forfeiture of the property listed in the June 30, 2010 Preliminary Order of Forfeiture, to wit, \$2,305.00 in U. S. currency seized from the defendant during the execution of a federal search warrant on March 2, 2010;

AND WHEREAS, the United States published notice of this forfeiture at the www.forfeiture.gov web site for at least 30 consecutive days, between July 10, 2010 and August 8, 2010, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty of Maritime Claims and Asset Forfeiture Actions. Said published notice advised all third parties of their right to petition the court within sixty (60) days from the first day of the publication date for a hearing to adjudicate the validity of their alleged legal interest in the forfeited property;

AND WHEREAS, it appears from the record that no claims, contested or otherwise, have been filed for the property described in this Court's July 16, 2009 Preliminary Order of Forfeiture, other than those specifically mentioned herein;

It is HEREBY ORDERED, ADJUDGED and DECREED:

1. That the property listed in the June 30, 2010 Preliminary Order of Forfeiture is hereby forfeited to the United States. That the United States Department of Justice is directed to dispose of the property according to law.

2. That any and all forfeited funds shall be deposited by the United States Department of Treasury as soon as located or recovered into the Department of Treasury's Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

The Clerk is hereby directed to send copies of this Order to all counsel of record.

SO ORDERED this 23rd of day September, 2010.



MALCOLM J. HOWARD
SENIOR UNITED STATES DISTRICT JUDGE